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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 MAY 19 AM 10:14

UNITED STATES OF AMERICA,

Plaintiff,

v.

Precilla Nicole RICHARDS (D1)

and

Michelle Ann MULLINS (D2)

Defendants.

'08 MJ 1551

Magistrate Case No. Y-114

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation

The undersigned complainant being duly sworn states:

On or about **May 16, 2008**, within the Southern District of California, defendant **Precilla Nicole RICHARDS (D1)** and **Michelle Ann MULLINS (D2)**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely **Veronica ROJAS-Villanueva**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Claudia Rios

SIGNATURE OF COMPLAINANT
Claudia Rios, U.S. Customs and
Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19th DAY OF
MAY, 2008.

[Signature]

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, United States Customs and Border Protection (CBP) Enforcement Officer Heather Ramos, declare under penalty of perjury the following to be true and correct:

The complainant states that **Veronica ROJAS-Villanueva**, is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.


On May 16, 2008, at approximately 2312 hours, **Precilla Nicole RICHARDS (Defendant 1)**, and **Michelle Ann MULLINS (Defendant 2)** applied for admission into the United States at the San Ysidro, California Port of Entry as the sole visible occupants of a 1990 white in color Lexus LS400. A Customs and Border Protection (CBP) Officer apprehended the D1 and D2, inspected the vehicle's trunk area, and noticed a person concealed under several personal belongings and a spare tire. The CBP Officer requested assistance; the vehicle and its occupants were escorted to secondary.

In secondary, CBP Officers discovered one adult female concealed in the trunk area of the vehicle under a trunk mat with a car seat, car jack, spare tire, and a box filled with clothes and various miscellaneous items all on top of her. The adult female stated to the officer that she was unable to get out on her own because her legs were trapped and she could not move them. The adult female was later determined to be a citizen of Mexico without entitlements to enter the United States. The adult female is now identified as: **Veronica ROJAS-Villanueva (Material Witness)**.

During a videotape proceeding, D1 was advised of her Miranda rights and elected to submit to questioning without benefit to counsel. D1 admitted to being the driver and owner of the vehicle but denied having any knowledge of the concealed individual in the trunk. D1 stated she went to Mexico to be with her friends at the clubs in Mexico. D1 stated that she and D2 drove to a liquor store in Mexico to purchase beer. Prior to arriving at the club she decided to get gas for the vehicle, at the gas station she backed into a gate and the rear tire of her vehicle became flat as a result of the accident. D1 stated that two unknown men helped her change the tire at a gas station and then they paid for her gas. D1 stated that while the two men changed her tire she maintained possession of the keys and had visual contact with the vehicle at all times. After the tire was changed D1 decided to return home (California) with her friend D2 without going to the club. D1 stated that she has not been to Mexico since 2004. D1 stated that it took her approximately one hour and a half travel time one way from her house to Mexico.

On a videotaped interview, Material Witness admitted she is a citizen of Mexico without legal rights to enter the United States. Material Witness stated she was going to pay approximately \$4,000.00 USD to be smuggled into the United States. Material Witness stated she was en route to Los Angeles, California to find work. Material Witness was shown two (2) separate photographic lineup displays consisting of six (6) persons on each set. The photographs were numbered and the Material Witness was able to identify both D1 and D2 without hesitation as being present in Mexico before she was placed into the compartment.

EXECUTED ON THIS 17th DAY OF May 2008 AT 1000 HOURS.


Heather Ramos / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of 2 pages, I find probable cause to believe that the defendant named therein committed the offense on May 16, 2008 in violation of Title 8, United States Code, Section 1324.


MAGISTRATE JUDGE

5/17/08 12:20pm
DATE / TIME